

City Council Introduction: **Monday**, January 31, 2005
Public Hearing: **Monday**, February 7, 2005, at **1:30 p.m.**

Bill No. 05-12

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 04083**, a text amendment to Title 27 of the Lincoln Municipal Code, requested by the Director of Planning, repealing Section 27.69.085 relating to permitted signs in a Corporate Office Park planned unit development; amending Section 27.70.050 to modify the requirements after approval of a use permit to allow building permits, certificates of occupancy and subdivision of property to be issued or approved upon substantial compliance with the plot plan as approved, and to grant the Planning Director the authority to review and determine if a proposal is in substantial conformance with the spirit and intent of the approved plan; and repealing Section 27.70.050 as hitherto existing.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 01/19/05
Administrative Action: 01/19/05

RECOMMENDATION: Approval (6-0: Carlson, Carroll, Larson, Marvin, Bills-Strand and Sunderman voting 'yes'; Taylor, Krieser and Pearson absent).

STAFF RECOMMENDATION: Approval.

FINDINGS OF FACT:

1. This proposal repeals Section 27.69.085 eliminating the sign requirements for defunct Corporate Office Park Planned Unit Developments.
2. The proposed amendment to Section 27.70.050 deals with requirements after approval of use permits to simplify and streamline the development process.
3. These amendments were included in a package of sign requirement amendments that was previously denied by the City Council. It was not the intent that these specific amendments also be denied.
4. The staff recommendation of approval is based upon the "Analysis" as set forth on p.2-3, concluding that the proposed amendments to the zoning ordinance are in conformance with the Comprehensive Plan.
5. On January 19, 2005, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
6. On January 19, 2005, the Planning Commission agreed with the staff recommendation and voted 6-0 to recommend approval.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: January 24, 2005

REVIEWED BY: _____

DATE: January 24, 2005

REFERENCE NUMBER: FS\CC\2004\CZ.04083

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for January 19, 2005 PLANNING COMMISSION MEETING

P.A.S.: Change of Zone #04083

PROPOSAL: To repeal Section 27.69.085 (Corporate Office Park PUD's) and revise Section 27.70.050 (Additional Use Regulations).

CONCLUSION: In conformance with the Comprehensive Plan and eliminates sign regulations for defunct Corporate Office Park PUD.

RECOMMENDATION:

Approval

GENERAL INFORMATION:

COMPREHENSIVE PLAN SPECIFICATIONS:

Examine ways of simplifying the development regulations and supporting documentation to encourage a broader understanding of planning concepts and their relevance to neighborhoods' and businesses' continuity and viability. (F-52)

As these are applied in the future, consideration should be given to the continued use and possible expansion of "fast track" incentives. These incentives allow development proposals to be reviewed, and possibly approved in a shorter period of time than might normally occur. (F-53)

Another procedural technique currently in use is giving the City-County Planning Commission broader approval authority for selected types of administrative actions. In some cases, the Commission can give final approval to a development proposal, thus by-passing the City Council and County Board. This saves the developer time in the review process. Appeal procedures are also part of this process should additional review by the Council or Board be desired by the applicant or others. (F-53)

ANALYSIS:

1. This is a request to amend the Zoning Ordinance text in order to simplify and streamline the development process.
2. Section 27.69.085 Signs for Corporate Office Park PUDs
 - a. Eliminates the sign requirements for defunct Corporate Office Park PUDs.
3. Section 27.70.050 Requirements After Approval (Use Permits)
 - a. Level of compliance with site plan changed from "strict" to "substantial". This will eliminate any need for an administrative amendment for very minor deviations between the approved site and the building permit.
 - b. Under the present language, a modification or waiver shown on the plans could be

interpreted as approving without notice and authority in the resolution approving the use permit. This language is proposed to be stricken so that there is no longer the ability to assume a waiver is granted just because it was shown on the site plan when a waiver was not requested, explicitly granted or advertised.

- c. Allows the Planning Director to approve minor variations at the time of building permit.
- 4. The Planning Commission has directed that standards for signs and lighting be reviewed in the future by staff to identify needed improvements.

Prepared by:

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Planner

DATE: January 5, 2005

APPLICANT: Marvin S. Krout
Director of Planning
Planning Department

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CHANGE OF ZONE NO. 04083

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

January 19, 2005

Members present: Carlson, Carroll, Larson, Marvin, Bills-Strand and Sunderman; Taylor, Krieser and Pearson absent.

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 04083, a text amendment to Title 27 of the Lincoln Municipal Code.**

Sunderman moved to approve the Consent Agenda, seconded by Marvin and carried 6-0: Carlson, Carroll, Larson, Marvin, Bills-Strand and Sunderman voting 'yes'; Taylor, Krieser and Pearson absent.

This is a recommendation to the City Council.